

the gentleman from Minnesota (Mr. LUTHER), for yielding me this time.

Mr. Chairman, I rise today in strong support of the Luther-Ramstad amendment to end production of the Trident II D-5 submarine launch ballistic missile. The appropriations bill before us today includes, as the gentleman from Minnesota (Mr. LUTHER) stated, almost \$473 million for the purchase of 12 Trident II D-5 missiles. The Congressional Budget Office estimates that our amendment would save taxpayers \$2.6 billion through 2007 and \$4.7 billion over the next 10 years, money much better spent on our enlisted families in the military who are on food stamps.

The Navy already has a surplus of missiles, 25 more missiles than it says, the Navy says, are necessary to support its submarine force.

We should not be spending scarce military dollars on a Cold War relic that is not needed to effectively support our military's mission.

As a strong budget hawk and fiscal conservative, I believe that each and every area of the Federal budget must be scrutinized for savings. This Trident missile program has outlived its usefulness. It is time to save taxpayers from being forced to fund it.

This important amendment would save taxpayers money without, in any way, jeopardizing national security, and I urge my colleagues to support it. I urge a vote for fiscal sanity. Vote yes on the Luther-Ramstad amendment.

□ 1630

Mr. HUNTER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I have a Navy document in front of me that I am reading that gives the state of play with these D5 missiles. It states, "With no D5 production beyond FY 2000, available inventory will only support outfitting of 11 Trident 2 SSBNs. So we are stopping short three submarine-loads of SSBNs if we stop production now."

It says further, we have to pull more submarines or more missiles each year out of inventory to support testing, so we are going to be going downhill in this very important part of our strategic triad.

Mr. Chairman, I yield 2 minutes to my friend, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, the gentleman from California is absolutely correct. If we pass this amendment, only 11 Tridents would have the D5. We need 14. We are coming down from 18 to 14.

The other problem is that the existing missile, the C4 missile, is at the end of its useful life. In order to retrofit it and improve it, in order to use it over the lifetime of the submarine, we would have to spend almost as much money to do that as to get the existing D5. We are also 50 D5s short of inventory requirements.

Having said that, this missile, the D5 missile, is the only one we have today in actual production. This is the only missile the United States is producing. Therefore, killing this program would end all of our active missile procurement at a time when I think that would be a serious mistake.

Also, if they do this, then the United States would have to either build more land-based missiles or more bombers at a much higher cost than finishing out this particular program.

The D5 is our most effective and accurate missile, and I believe that the undersea deterrent is the most survivable part of our triad. We have an advantage here that we would unilaterally be giving up at a time when we are asking the Russians to enter into a START III agreement at lower levels.

The leverage for that is because of our ballistic missile submarines. That is where we have an advantage over the Soviets. We would be unilaterally giving up that advantage. It makes no sense. The D5 has been a first rate system. We need to backfit it on the four Pacific Tridents. It is part of our overall defense plan. It is something that this administration favors.

Who favors it? The President of the United States, the Secretary of Defense, and the Secretary of the Navy, the Chief of Naval Operations, that is who supports it, along with, I hope, a majority of the House of Representatives.

Mr. LUTHER. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise in support of the Luther amendment. I appreciate my colleagues' and all of our colleagues' tireless efforts to fight and eliminate the Trident missile, a true relic of the Cold War.

With the potential for nuclear warhead reduction from the START II procedures, pending that ratification, we will not need to invest in missiles today that could be unnecessary in the near future. It is a waste.

Continuing the Trident's production wastes billions of dollars. In fact, terminating production of the Trident missiles, as this amendment does, the CBO estimates it would save over \$2.5 billion over the next 7 years. In fiscal year 2001 alone it would save \$473 million.

Mr. Chairman, this is money that can be invested in our children and their education, our seniors and their health care, and our families and their security. I urge my colleagues to invest in people. Vote for this amendment.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a centerpiece of our strategic deterrent. The amount of money we are talking about here is less than 1 percent of the defense budget. With a growing nuclear club around the world, it is important for us to pre-

serve the most important part of our nuclear deterrent.

This amendment would gut that program and would hurt strategic stability. Please vote against this amendment offered by my friend, the gentleman from Minnesota (Mr. LUTHER).

Mr. LUTHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I respect the point of view that this is the centerpiece of our defense, and yes, I do not disagree with that, but we have 372 of these missiles already. Who would suggest that we need 12 more when we have the pressing needs that we have in this country?

This amendment, Mr. Chairman, is supported by Taxpayers for Common Sense, the Council for a Livable World. Let us get some common sense in this body. That is all we are asking for on this amendment. Let us support this amendment and start sharing the resources that are in this bill with the other needs of our country.

The CHAIRMAN pro tempore (Mr. SUNUNU). The question is on the amendment offered by the gentleman from Minnesota (Mr. LUTHER).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. LUTHER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. LUTHER) are postponed.

The point of no quorum is considered withdrawn.

Mr. HUNTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. VITTER) having assumed the chair, Mr. SUNUNU, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes, had come to no resolution thereon.

#### ORDER OF CONSIDERATION OF AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4205, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that when the House next resolves itself into the Committee of the Whole House on the State of the Union for the further consideration of H.R. 4205, that the committee proceed to the consideration of

amendments printed in the House Report 106-621 in the following order: No. 20, No. 13, Nos. 5 through 9, No. 11, No. 12, Nos. 14 through 19, Nos. 21 through 26, Nos. 28 through 35, No. 10, and No. 27.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

The SPEAKER pro tempore. Pursuant to House Resolution 503 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4205.

□ 1636

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes, with Mr. GUTKNECHT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, a demand for a recorded vote on amendment No. 4 printed in House Report 106-621 offered by the gentleman from Minnesota (Mr. LUTHER) had been postponed.

It is now in order to consider amendment No. 20 printed in House Report 106-621.

AMENDMENT NO. 20 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 printed in House Report 106-621 offered by Mr. TRAFICANT:

At the end of subtitle C of title X (page 324, after line 11), insert the following new section:

#### SEC. \_\_\_\_ . ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

#### “§374a. Assignment of members to assist border patrol and control

“(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

“(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

“(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

“(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

“(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

“(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(c) TRAINING PROGRAM REQUIRED.—The Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting law enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

“(d) CONDITIONS ON USE.—(1) Whenever a member who is assigned under subsection (a) to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

“(2) Nothing in this section shall be construed to—

“(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

“(B) supersede section 1385 of title 18 (popularly known as the ‘Posse Comitatus Act’).

“(e) NOTIFICATION REQUIREMENTS.—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

“(f) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

“(g) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2002.”

(b) COMMENCEMENT OF TRAINING PROGRAM.—The training program required by subsection (b) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

“374a. Assignment of members to assist border patrol and control.”

The CHAIRMAN pro tempore. Pursuant to House Resolution 503, the gen-

tleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, a great Georgetown basketball player not too far away, now in the NBA for the Miami Heat, was just named the most valuable defensive player in the National Basketball Association. He got that award because he did not allow anyone with bad intentions to come into his territory.

The Traficant amendment does not deal with immigration, it deals strictly with terrorism and with narcoterrorists. I submit that someone can actually send across the border the components of a nuclear missile, assemble it in Arizona, and launch it at American cities.

Mr. Chairman, I reserve the balance of my time.

Mr. REYES. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I have found in my short tenure in Congress that every year we celebrate the holiday season, we celebrate Easter with an Easter egg roll, we celebrate the Fourth of July, and we every year debate this ridiculous amendment.

Mr. Chairman, this amendment is ill-advised. Every year it is ill-timed. It has the ability or the potential to put our men and women in uniform in jeopardy. I would hope that my colleagues would join me in opposition to this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I can remember when a Member stood up when I offered to change the burden of proof in a civil tax case and change judicial consent, forcing the IRS to go to a judge before they could seize a home, and I heard a colleague say the same thing: Every year we do this, we did it for 10 years.

Last year it became law. In 1997, we had 10,037 seizures of homes, I would say to the gentleman from Texas (Mr. REYES). In 1999, there were only 161 seized. Sometimes it takes time to pass good legislation.

Mr. Chairman, let me say this, a Nation that does not secure its borders has no national security. A bill that does not debate the fact that only three out of 100 trucks are even inspected and our borders are wide open, and we are asking civilians to match the firepower of terrorists who literally have those bad intentions, it makes no sense, the argument that I am hearing.